

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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TYRA TYREL MANLEY,

Plaintiff,

-against-

ACHIEVE CARD,

Defendant.

-----X  
ROSLYNN R. MAUSKOPF, United States District Judge:

In an Order to Show Cause dated November 18, 2019, the Court directed *pro se* plaintiff Tyra Tyrel Manley to show cause why this action should not be dismissed for lack of subject-matter jurisdiction. That Order gave Manley 30 days in which to submit a writing 1) explaining why she believed that recovery in excess of \$75,000 was reasonably possible or 2) identifying a federal statute or provision of the United States Constitution that was at issue in the case, and warned: “If Manley fails to do either within the time allowed, this action will be dismissed for lack of subject-matter jurisdiction.” (11/18/2019 Order (Doc. No. 7) at 7.)

The Clerk of Court mailed the Order to Manley on November 21, 2019. To date, Manley has not filed a response or requested an extension of time in which to do so. Accordingly, it is

ORDERED that for the reasons stated in the 11/18/2019 Order, this action is dismissed for lack of subject-matter jurisdiction pursuant to Rule 12(h)(3) of the Federal Rules of Civil Procedure. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith, and therefore *in forma pauperis* status is denied for purpose of an appeal. *Coppedge v. United States*, 269 U.S. 438, 444–45 (1962). It is further

ORDERED that the Clerk of Court enter judgment in favor of defendant Achieve Card, mail a copy of the judgment and this Order to plaintiff, note the mailing on the docket sheet, and close this case.

SO ORDERED.

Dated: Brooklyn, New York  
January 14, 2020

*Roslynn R. Mauskopf*

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ROSLYNN R. MAUSKOPF  
United States District Judge